

Governor's Advisory Council for Exceptional Citizens (GACEC)



Annual Report Fiscal Year 2021

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Alphabet Soup

Acronyms can be a useful tool in communication; they can reduce long phrases to something we can quickly reference to share information and understanding with others. They can also be confusing to those new to a community or process and make navigating systems next to impossible. To assist readers, we have included a list of acronyms found in this report. For an extensive list of commonly used acronyms in the disability and exceptionality communities in Delaware, please visit:

<https://gacec.delaware.gov/wp-content/uploads/sites/35/2021/08/2021.08.06-Acronym-List-.pdf>

ADA- Americans with Disabilities Act

AGEC- Access to General Education Curriculum

APR- Annual Performance Report

ASQ- Ages and Stages Questionnaire

BIC- Brain Injury Committee

CAC- Community Advisory Council

CDS- Center for Disabilities Studies

CEC- Council for Exceptional Children

CFR- Code of Federal Regulations

DCADA- Delaware Coalition for the Americans with Disabilities Act

DDOE- Delaware Department of Education

DE AFN- Delaware Access and Functional Needs

DECC- Delaware Early Childhood Center

DeIDHub- Delaware Disability Hub

DHIN- Delaware Health Information Network

DHMIC- Delaware Healthy Mothers & Infant Consortium

DHSS- Department of Health & Social Services

DMMA- Division of Medicaid and Medicare Assistance

DMS- Differentiated Monitoring and Support

DMV- Department of Motor Vehicle

DOE- Department of Education

DOL- Department of Labor

DPH- Delaware Public Health

DSAAPD- Division of Service to Aging and Adults with Physical Disabilities

DSCYF- Department of Service for Children, Youth and their Families

DVR- Division of Vocational Rehabilitation

DVRTF- Delaware Victims' Rights Taskforce

ECIC- Early Childhood Inclusion Committee

EFMP- Exceptional Family Member Program

EPIC- Endless Possibilities in the Community

ESSA- Every Student Succeeds Act

FY- Fiscal Year

GACADP- Governor's Advisory Council for Aging and Disabled Persons

GACEC- Governor's Advisory Council for Exceptional Citizens

GCBACS- Governor's Commission on Building Access to Community-Based Services

HLADE- Hearing Loss Association of Delaware

ICC- Interagency Coordinating Council

IDEA- Individuals with Disabilities Education Improvement Act

IEP- Individualized Education Plan

IFSP- Individualized Family Service Plan

K-3- Kindergarten through Third grade

LEA- Local Education Agency

LIFE- Legislation, Independence, Family Support Services and Education

MDE- Multi-Disciplinary Evaluation

MTSS- Multi-tiered Systems of Support

MVN- Motor Vehicle Network

OEL- Office of Early Learning

OSEP- Office of Special Education Programs

PAIR- Protection & Advocacy of Individual Rights

Part B- P.L. 99-142, section which authorizes assistance for the education of all children with disabilities or FAPE

Part C- P.L. 99-457, section which authorizes Early Intervention Programs for Infants and Toddlers with Disabilities (formerly Part H)

PBS- Positive Behavioral Supports

PIC- Parent Information Center

PTA- Parent Teacher Association

RFP- Request for Proposal

SAP- State Advisory Panel

SCPD- State Council for Persons with Disabilities

SEED- Student Excellence Equals Degree

SESPAC- Special Education Strategic Planning Council

SHOCFISC- State Health Operations Center Functional Information and Support Center

SLP- Speech Language Pathology

SSIP- State Systemic Improvement Plan

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What is the Governor's Advisory Council for Exceptional Citizens?

Mission

The Council's mission is to provide leadership through advice and advocacy for the unmet needs of citizens of all ages who are exceptional*, in order to improve their lives.

*The term "exceptional citizens" refers to persons of all ages who have special needs. It should be noted that the GACEC state mandate for exceptional citizens includes children with special gifts and talents.

Statutory Responsibilities

In accordance with the Code of Federal Regulations (CFR) 300.650, the Council serves as the State Advisory Panel for the Individuals with Disabilities Education Improvement Act (IDEA) and its amendments.

1. Delaware Code: Title 14, Chapter 31, Sub. Sec. 3111
2. Federal Statute: Individuals with Disabilities Education Improvement Act (IDEA) and its amendments:

The State Advisory Panel will:

- (1) "...advise(s) the state educational agency of unmet needs within the state in the education of children with disabilities;
 - (2) comment(s) publicly on any rules or regulations proposed for issuance by the state regarding the education of children with disabilities and the procedures for distribution of funds under this part; and
 - (3) assist(s) the state in developing and reporting such data and evaluations as may assist the Secretary under Section 618..."
3. Delaware Code: Title 14, Chapter 24, subsection 2408

The legal authority of this Council shall be Title 14, Chapter 31, Exceptional Persons, Sub. Sec. 3111: "The Governor shall appoint an advisory council to act in an advisory capacity to the State Board of Education and other State agencies on the needs of exceptional citizens." The General Assembly shall provide for the maintenance of the Council. The Council shall also serve in the capacity of the Advisory Panel as required by the Individuals with Disabilities Education Improvement Act (IDEA).

The membership of the GACEC complies with the IDEA and includes the following components:

- (a) *General.* Council must consist of members appointed by the Governor, or any other official authorized under State law to make these appointments, that is representative of the State population and that is composed of individuals involved in, or concerned with the education of children with disabilities including:

1. Parents of children with disabilities (ages birth through 26);
2. Individuals with disabilities;
3. Teachers;
4. Representatives of institutions of higher education that prepare special education and related services personnel;
5. State and local education officials, including officials who carry out activities under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.);
6. Administrators of programs for children with disabilities;
7. Representatives of other State agencies involved in the financing or delivery of related services to children with disabilities;
8. Representatives of private schools and public charter schools;
9. Not less than one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities;
10. A Representative from the State child welfare agency responsible for foster care; and
11. Representatives from the State juvenile and adult corrections agencies.

(b) *Special Rule.* A majority of the members of the panel must be individuals with disabilities or parents of children with disabilities (age's birth through 26).



A Word from the Retired Executive Director

I thought last year when I wrote about the year of change it would be a while until I wrote about a year of change again. Well, it is with mixed emotions that I write my section of the GACEC Annual Report as my last official writing. In February I decided I was going to retire in May after being with the GACEC for 23 years. I have thoroughly enjoyed working with the Council and the stakeholders around the state. We have made great strides, but I know there is still a lot more work to be completed. Together we have made a difference and together we will continue to make a difference. I have learned so much from each and every one of you. I was mentored by so many wonderful, caring, knowledgeable advocates. I am forever grateful for all the stories and knowledge you bestowed upon me.

This year, we finalized the newest upgrades to the Delaware Disability Hub and are continuing to make the GACEC website ADA accessible as well. We released the newest video entitled “College is an Option for Individuals with Disabilities-Stepping up to the Challenge.” I am also working on some other videos with CANCAN Productions, and I hope they will be released shortly after my retirement. The website is always a work in progress with updates and enhancements.

We are still working through the pandemic and holding very meaningful and productive meetings via Zoom, Go To meetings and Webex meetings. We are being mindful of the students in our schools, particularly our students with Individualized Education Plans (IEPs). The entire community has been in an upheaval but particularly our families and individuals with disabilities.

Staff and Council members spent many hours in meetings and with legislators advocating for individuals with disabilities. A few of the successes I want to highlight in this section are House Bill 86, which is the expansion of K-3 Basic Special Education Funding, which was passed on June 22, 2021. Also, Senate Bill 56 which is the Educational Opportunity Funding that provides additional funding for schools to support English Language Learners and low-income students. This is part of a settlement agreement and was signed by the Governor on June 30, 2021. Another focal point of the work that was done to advocate for change is the preparation work and discussions which led up to Senate Bill 136, which is the transfer of Part C services to the Department of Education (DOE). This Bill will take measures to implement the move in stages and was passed on June 29, 2021.

It is my pleasure to introduce you to the new Executive Director, Pam Weir. Pam will tell you a little more about herself when she writes her section so I will not steal her thunder.

I will miss working with everyone, including the Governor, Lt. Governor, Cabinet Secretaries, their staff and the legislators, stakeholders and Council members. I am sure our paths will cross again in the near future.

Wendy S. Strauss

A Word from the New Executive Director

Dear Friends of the Governor's Advisory Council for Exceptional Citizens,

I am excited for the opportunity to support and build on the incredible work of Council and would like to take this opportunity to introduce myself.

I have over twenty years' experience working with children, families and persons with disabilities. I ran a licensed home daycare for almost 10 years where I experienced, firsthand, the challenges faced by families. After completing my degree, I accepted a position in an early childhood system of care grant initiative working with children and families experiencing mental health challenges. Most recently, I worked at Delaware's Part C program as the Assistant Part C Coordinator where I remained for six years. As the Executive Director of the Governor's Advisory Council for Exceptional Citizens, I am looking forward to expanding my knowledge and understanding of the issues facing persons with disabilities and exceptionalities and working to support Council to identify and implement solutions.

This past year, Council has engaged with issues ranging from policy to governance, to next steps for persons with disabilities. Legislation designed to facilitate equal, equitable and accessible opportunities for services and supports saw its' way through the legislative process and were signed into law. These laws will help improve outcomes for persons with disabilities and exceptionalities.

I am very proud of the work of Council and feel the urgency for the acceleration of systemic change and improvement in how our State serves students with disabilities. Too many of our children are impacted by both achievement and opportunity gaps. In the coming months, I will focus on strengthening relationships with local stakeholders to share knowledge and expertise to drive universal improvement.

It will take all of us, government agencies, schools, support organizations, parents and students to improve our special education system and policies, procedures and practices related to the delivery of services for all residents with exceptionalities or disabilities in Delaware from birth to death.

I would like to thank my predecessor, Wendy Strauss. I am so thankful that I had the opportunity to know Wendy and work with her over the past six years. I am grateful for her continued dedication to and passion for this work as well as for her role as a mentor to me.

I hope to have the opportunity to get to know all of you- parents, community leaders, special education leaders, advocates, legislators and partner agencies. Despite the ongoing challenges of COVID-19, we have continued to meet to advocate on behalf of our students and individuals with disabilities and will continue to adapt to engage the stakeholder voice and address unmet needs. This past year has been difficult, but I hope we can continue to recognize and take advantage of lessons learned as we collectively navigate the months and years ahead with grace and kindness.

Gratefully,

Pam Weitz

A Message from the Chair

As I reflect on the past year it was a very busy one for Council. We saw a school year unlike any other with COVID-19 safety protocols in place. Ensuring that Delaware's students with disabilities educational needs were met was a challenge. It highlighted again just how important our work is and how dedicated each one of you are. Thank you for your continued passion and vigilance during this difficult and stressful time. I truly appreciate all your hard work and dedication! Your commitment to not only Council, but to individuals with disabilities is truly commendable.

Council also welcomed a new director, Pam Weir! We were saddened to see Wendy Strauss leave after so many dedicated years, but we wish her the best in her well-deserved retirement. Pam has some big shoes to fill but we are sure she is up for the task. We would like to welcome new members Cory Gilden, Genesis Johnson, Marie Oliveri, Erika Powell and Lindsay Williamson. We thank members who are no longer serving with us and wish them the best in their new endeavors. We are sorry to say goodbye to Susan Campbell and Kimberly Warren. We thank them for their service to individuals with disabilities in Delaware and to the GACEC.

As a Council, we have reviewed, commented on, and advocated for legislation and regulatory changes that will positively impact the lives of Delaware citizens with exceptionalities across their life span. The emergence of a national pandemic only made us more vigilant in our efforts to ensure that our citizens are not forgotten or marginalized. It also reinforced the need to have our meetings become more accessible even after the pandemic is over and we begin to meet in person again. I look forward to continuing this important work with all of you as well as the dedicated staff of GACEC as we continue to navigate through this pandemic and ever-changing protocol safely.

Yours in service,

Ann C. Fisher

Council Goals

GOAL 1: Outcomes for students with exceptionalities will be improved by monitoring and supporting the implementation of the Annual Performance Report (APR) mandates, State Systemic Improvement Plan (SSIP), State Professional Development Grant (SPDG), Every Student Succeeds Act and Delaware Department of Education (DDOE) Special Education regulations.

GOAL 2: Programs and services for students with exceptionalities will be improved by monitoring and advocating for the delivery of evidence-based special education and related services in the least restrictive and natural environments.

GOAL 3: Programs and services for citizens with exceptionalities will be improved by reviewing and advocating for funding, policies and procedures that positively impact and empower citizens with exceptionalities.

GOAL 4: Legislation, funding, policies and procedures, and programs and services for citizens with exceptionalities will be improved through effective communication and collaboration with legislators, agencies, councils and other relevant entities.

GOAL 5: The self-determination of students with exceptionalities will be improved by advising and advocating for their inclusion in all of the Delaware Department of Education's reform and accountability initiatives.

GOAL 6: The impact of the COVID-19 pandemic on the efficient and effective functioning of Delaware districts and schools and on the education and emotional well-being of students, parents, educators, and administrators will be investigated.



Infant and Early Childhood Committee Report

We began our fiscal year in November 2020 when Senator Sturgeon and Deborah Gottschalk spoke to the committee about drafting legislation to move Part C to the DOE. The draft was expected in January or February 2021 and the move is proposed for July of 2022. They also discussed a Request for Proposal (RFP) being moved forward for the Part C data system. There are concerns about having separate data systems. As of November 2020, there are no data systems that go from birth through early education. The best we can hope for is to have a birth to three data system that is compatible with the DOE data system. Sue Campbell informed Council that the new Part C Coordinator has been selected and will be starting on November 23. An RFP is also being drafted for early intervention services. New contracts will be in place by the end of the fiscal year.

By January 2021, Sue Campbell reported that there were two visitors at the Committee meeting. Michelle Mathew is the new Birth to Three Administrator. She has been with Public Health for the last 10 years and has a child who went through Child Development Watch. Kristina Horton is the new Part C Coordinator. She was previously with Child Development Watch. Michelle discussed some of the priorities Birth to Three is looking at. This included closing gaps in services and increasing compliance on the operations side. They spoke about the early childhood transition from Part C to 619. They will be working closely with Cindy Brown. Jen Pulcinella brought up a concern with a decrease in medical emphasis when children transition from part C to part B. Parents get confused on how different the models are. This is information that will be helpful to bring to Michelle and Kristina's attention. Sue added that there is an RFP (Request for Proposals) on the bidder's website for the data system that closes February 17. There is also an RFP currently being created for service delivery for the providers. Providers are currently operating under contracts that were created as early as 1993. One of the concerns was inconsistencies with provider responsibilities and reporting. Lisa Henry, the Director for Community Health Services for Public Health, hopes to start the new contracts as of July 1 of this year. Sue mentioned that GACEC would be interested in having a similar report out for Part C. She thinks it is very important for the transparency of this group. In the future, Sue hopes to discuss more about the screenings and reaching out to underserved populations and progress made on the program manual. Kristina stated that she looks forward to working with the GACEC in the future.



In February 2021, Kristina Horton, the new Part C Coordinator, met with the committee. Kristina mentioned that the Differentiated Monitoring and Support (DMS) Office of Special Education Programs (OSEP) letter from two years ago was received. It was briefly shared at the Interagency Coordinating

Council (ICC) meeting in January. Feedback is being collected from ICC. They are currently writing a summary of progress letter directed for public viewing. This will help the public understand the work that Birth to Three has accomplished since the OSEP visit and that improvements are continuing to be made. Kristina discussed the Annual Grant application, which is currently posted in the Delaware Register of Regulations on page 809. The Public Comment Period was March 4 through April 3. The Annual Performance Plan was submitted on February 1. Sue noted some key points in the plan were as follows: -Indicator 1. Service delivery-30-day timeline. Progress was made from 55.3% to 82.3%. -Indicator 7. MDE/IFSP 45-day timeline. Slippage from 92.6% to 86.9%. -Indicator 8. Transition Steps and Transition Notification were 100%. Timely Transition Conferences progressed from 92% to 97%. The Child Count 0 to 3 decreased by 15% primarily due to COVID-19. Families were unsure about how services would be delivered. Kristina reported to the group on the Data System. Additional dollars were requested in the Annual Grant Application. The RFP for the new system is still active. The estimated project start date is May 1.

In March 2021, Cindy Brown and Kristina Horton spoke to the committee about the Ages and Stages Questionnaires (ASQs) developmental screening tools and inclusion specialists. The Office of Early Learning (OEL) partnered with the Center for Disabilities Studies (CDS) at the University of Delaware on the Act Early Grant to look at barriers that COVID-19 presented when trying to continue to conduct the developmental screenings. This is a short-term \$94,000 grant that will end in the beginning of October. OEL is looking to do a pilot for a phone application to complete developmental screenings called Sparkler. They are asking Sparkler to do a demonstration in Delaware. Parents could get immediate results and it would allow screeners to dedicate their time to children who show delays.

In April 2021, Cindy Brown and Kristina Horton spoke to the committee about the Summer Birthday Rule, which ended on March 16. There has been talk of this since 2017. Children who turn three between May 1 and August will no longer continue with birth to three. These children will still have access to speech therapy, occupational therapy and physical therapy as needed through Medicaid, Medicare, or private insurance. Birth to three will continue collaborating with school districts on a case-by-case basis to ensure children continue to get the services they need. Birth mandate children will not be affected. The unit count has been moved to November. Hopefully there will be a second unit count.

Lastly, in May 2021, Kristina Horton and Pam Weir spoke to the committee. They spoke with Pam about her impression of the Council and her new position. They also reviewed the Delaware Early Childhood Center (DECC) meeting and discussed the Childcare Development grant being moved to DOE and the need for comments, particularly the section that includes Purchase of Care and children with disabilities. The committee focused on the move of Part C from DHSS to DOE and the update of the STARS program. The committee would like to collaborate with ICC to better strengthen both of our positions. The ICC members would benefit in knowing more about the GACEC and they would bring their firsthand knowledge to the table. There was discussion on recruiting new members and continuing virtual meetings once in person meetings are back in session. Rebuilding the birth to three relationships to being transparent is a focus for Kristina. Stakeholder engagement is paramount, and

they discussed how the Parental Rights Booklet needs to be more reader friendly. The transition from birth to three services is a shock for parents and should be improved. The Infant and Early Childhood Committee would like to have a representative from the Parent Information Center (PIC) on the Council.

We have had quite the year focused on some big changes. With new leadership and some fresh faces, we plan on collaborating with and helping bring Delaware's children the best resources and teachers the state has to offer. We are all in this together.

Children and Youth Committee Report

The Children and Youth Committee spent time reviewing their annual goals and discussing the



breakthroughs they have made. The Children and Youth Committee met with representatives from the Speech Language Pathology (SLP) program at the University of Delaware to discuss the need for more SLPs in Delaware. The University is pursuing a bridge program for students who did not specifically get a bachelor's degree ahead of SLP. The Children and Youth Committee is going to work on assisting them with securing funding to reduce tuition at the University of Delaware due to the cost being higher than other programs.

The group wrote a letter of recommendation to change the Alternate Assessment System to an Aggregated Interim System. This process is now moving forward, and information is being gathered from teachers who have implemented this system so we can work toward this change with legislators. In addition, Children and Youth Committee members completed a preliminary recommendation for changes to the School Construction Formula for the Kindergarten (K) to five range. The Committee circulated this information to additional stakeholders for further input. Tika Hartsock was appointed as the GACEC liaison to the Redding Commission. The two major items that were addressed were K through three program funding, as well as ensuring that the ombudsmen program is fully inclusive.

The Children and Youth Committee heard from Mary Ann Mieczkowski and Susan Veneema regarding Disproportionality in their February meeting. They discussed efforts being made by DOE, working with the schools, as well as supports being provided to schools. They also discussed the next steps and schools doing root cause analysis when issues arise. Mary Ann and Susan reviewed the supports being provided to schools via the Multi-Tiered System of Supports (MTSS) and Positive Behavioral Supports (PBS) programs.

In March, the Committee met with Mary Ann Mieczkowski regarding recovery services and the state's recovery plan for children with disabilities due to COVID-19. They discussed how progress should be measured. The committee noticed a gap in the lack of guidance as to the standards and calculating

lost learning. The Committee has been reaching out to get stakeholder input on the school construction formula. They received some resources within the guidance document for the acceleration, which included literacy acceleration based on the state literacy program, giving districts support for high quality instructional material, teacher training and tutoring. The supports are available through next summer.

In April, the Committee discussed the Redding Consortium Recommendations. The K-3 basic funding process has been included in the settlement but is not required until the 2024-2025 range. There has been success in making sure that children with disabilities will be supported by this program.

The Children and Youth Committee wrote a letter strongly encouraging that children with disabilities be added as a priority group under the Childhood Care and Development Fund State Plan. About five years ago, the United States Department of Education (USDOE) gave notice that they would begin enforcing the 50 percent typical peer rule in Part C 619 for three- and four-year-olds. Delaware has made significant progress with this, but there has been a barrier with having enough space in schools. There has been one application requesting funding for additional space, which has been denied for three years in a row. The Committee decided to send a letter to DOE requesting information and data on their Certificate of Need process and history. In addition, a letter of support was written regarding Senate Bill 136 to move Part C from DHSS to DOE.

In June, the group heard from Kimberly Krzanowski, Director of the Delaware Stars Program regarding an overview of the updates they are currently working on. There was a focus on Inclusion and Disabilities. When Stars was first developed, the Committee reviewed the program and had some significant concerns and comments. When asked if they had disability training as a requirement to have a Stars rating the answer was no. Kim asked if the previous recommendations could be sent to her. The reason for concern is that if children are denied services early on, the likelihood of them accessing childcare later decreases to almost zero. An Ad-hoc committee was recommended to address this issue.

Adult Transition Services Committee Report

In February, Kyle Hodges, State Council for Persons with Disabilities (SCPD), provided an overview of what the SCPD does. One of those key elements was the most recent amendment to the Employment First Act of 2012, which occurred in 2019. Governor Markel had made employment for people with disabilities a priority. To support the process, state agencies share data in various forms. A review is conducted, and information is provided on the status of the barriers addressed. SCPD is working with the state Human Resources group to listen to concerns and provide better opportunities. There was a question about what is done with the disability question on the state application. A need for more coordination between state agencies involved was identified.



In March, Robin Coventry, Delaware Disability Hub (DeIDHub) Content Manager, shared information about what the DeIDHub does. Ms. Coventry's involvement evolved from an identified need for a website. The site was revamped in 2020 to become more accessible and user friendly. Some key functionality elements of the site are the ability to click on an area and have it read to the viewer using Read Speak.

Text size is easily enlarged; text framing was added for easier reading and functionality. PDF downloadable files and instructional videos were a few of the upgraded items. Categories used on the website were established by a task force, which identified what was needed for students, parents and educators for the student's transition. Some of the categories of planning include education, employment, emergency preparedness, health, housing, legal and transportation. It's My Life and Understanding My Disability are some of the topics also available. At a minimum, each category has a toolkit and videos on the topic. A teacher toolbox is provided with sample lesson plans and videos for teacher instructional presentations as a resource. A military family page was added in the 2020 revamp as a result of the need in the Dover area. A timeline of student progress in transition is broken into three age ranges. This is available for parents, students and teachers to determine if the specific student is within the range of where they should be for transition. Help getting the word out about the hub would be appreciated by the DeIDHub.



In April, presenters Erik Warner, Ed.D. Special Education Teacher Capital School District and Dale Matusevich, Education Associate for Secondary and Transition Services, Delaware Department of Education, provided information on what Delaware Department of Education does for transitions services and how it is evolving. The "Transfer of Rights" form is proposed for update to increase conversations between parties involved. The form will auto populate when a student is 16 to begin the transition process documentation. The form will auto repopulate when the student

is 17 establishing the need to complete the form. Additions to the document were made to engage discussions, which would include parent's involvement. The selection addition categories are Rights Transfer to Student, Power of Attorney, Voluntary Grant of Authority, Guardianship, Supported Decision Making and Educational Representative. Dale believes students do not understand the options and a little knowledge is needed to provide the student with some direction. Hopefully this triggers a conversation with the parents. One identified problem is that there are not enough Transition Counselors. This has been previously recommended for expansion with little results. There were 1250 referrals and only 300 resulted in an application. One school district with two Transition Counselors accounted for 100 of the applications at a 100% referral to application rate. To help with the process, the State Personnel Development Grant is up for renewal next spring. Dale is proposing to look at Universal Design for Learning. Mr. Matusevich is also looking at student leadership involvement which leads to parent engagement. Dale pointed out that transition has been in IDEA since 1990. It was noted that it is difficult to get parents engaged. The plan is to have stakeholder groups provide targets by 9/30/21, to continue to meet with stakeholders quarterly, get parents engaged and to continue to use the hybrid model, which has been used to grow parent engagement. The identified need is to push that transition is not an "add on" to get support to share the stakeholder group information with the public.

In May, presenters Michael Wagner, Education Associate for Delaware Department of Education, and Amy Anthony, Deputy Director for the Division of Motor Vehicles, presented on how communications on accessible parking are done for the citizens of the state of Delaware. Accessible parking knowledge is an issue in Delaware with items such as blue lines and van access. Questions posed to the two presenters included can we include information in the Driver's Education courses and can we expand information in the Driver's License manual on accessible parking? The current Driver's Education course is about 30 hours of instruction. Driver's Education is open to receiving concise additions to the training materials and reviews them for updates each year before the school year begins. In addition, a question can be proposed for an addition to the final exam. The updating review process begins in February of each year. GACEC might not be able to meet the current deadline but could provide the request for the next update. Both DMV and DOE are open to looking at the recommendations and most recently made additions for the Bike Council. In addition, the Farm Bureau asked about teaching how to drive on rural roads, which may have farm machines on them. Michael Wagner of DOE has offered to be the connector for the recommendations review. A possible communication tool to utilize could be the Motor Vehicle Network (MVN). This is an option for advertising for people waiting to be called to a DMV service window to communicate knowledge of accessible parking. GACEC member Robert Overmiller believes an extra \$1000 dollars might be available to support the public service communication on the MVN. The DMV has a form, which can be filled out providing knowledge of a medical or disability condition on the driver's license or state ID. This is a self-reporting issue and a special icon is placed on the front of the license with a notation of the issue on the back. The form must be filled out in person at DMV so that the new driver's license or ID can be printed then.



In June, Maureen Whelan, Director of Adult and Prison Education Resources for Delaware Department of Education, spoke to the committee to help members gain an understanding of what the Delaware Department of Education provides educationally to adults with special needs in the prisons and community programs. Ms. Whelan shared the FY21 year to date YTD data. 181 students were eligible for special education in the prisons. 56 students received services with an IEP. 29 students were in process and 22 opted out of services. 42 students left prior to services being rendered and 32 received education without special education services. 41.5 high school credits were earned and 62 IEP benchmarks met. Of the group, 44% were identified as learning disabled (LD). Two alternative diplomas were earned and one industry certification was earned. Teachers were not permitted physically into the prison facilities for over a year. Education was delivered in the prisons using correspondence and video conferencing. Level IV special education services were added in FY21 with one student requesting services. Club Z is the contracted deliverer of special education services. When COVID is reasonably cleared, the delivery will move from Zoom to in person services. Pearson VUE provided 29 accommodations for inmates taking the GED® exam and the community programs

had two accommodations approved in FY21. Maureen stated there was a need for an additional special education instructor at Howard R. Young to meet the needs of the population. The GACEC voted to send a letter of support to the Secretary of Education.

Policy and Law Committee Report

This year the Policy and Law committee was able to analyze and review the limited legislation proposed at Legislative Hall as the General Assembly met remotely during the majority of the legislative session. Legislative Hall was closed to the public and legislators in March of 2020 and reopened to the public in a limited fashion in late May of 2021. Policy and Law committee members met remotely also to review and discuss the impact of 23 bills and 25 regulations on individuals with exceptionalities in Delaware. The full list of those bills and regulations, along with responses and outcomes may be found in the appendices at the end of this annual report. A few of the bills that the GACEC provided commentary on that have been signed by the Governor to date will be highlighted here.

House Bill No. 86 increases funding for kindergarten through third grade students identified as eligible for basic special education services. Prior to House Bill 86, basic special education has only been provided for students in fourth through twelfth grade who are identified as eligible for basic special education and related services. House Bill 86 will expand funding to younger students. The bill was passed and signed by Governor Carney on July 30, 2021

House Bill No. 100 establishes mental health services units in every Delaware public elementary school, including charter schools. The State will be required to fund one school counselor or school social worker per 250 full-time enrolled students and one school psychologist for every 700 full-time enrolled students. In its comments to the General Assembly, Council noted that the introduction of this bill is timely in that the ongoing coronavirus pandemic has raised serious concerns about the long-term effects of increased isolation and remote learning on child mental health. Council also recommended that an intentional process of collaboration be developed among all personnel tasked with providing mental health services and supports to students. The legislation was passed and signed by the Governor on August 19, 2021.



House Bill No. 128 permits the extension of special education and related services to those students with a disability who turn 21 during the 2020-2021 school year thus aging out of special education. The IEP team for affected students will be responsible for reviewing and revising the IEP of the child with a disability whose education has been interrupted or adversely affected by the Coronavirus State of Emergency. The extension beyond the age of 21 will benefit individuals receiving special education services and supports that cannot be delivered virtually or part-time with the same effectiveness as in-person. Council supported this legislation since it ensures compliance with the Individuals with

Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act. The legislation passed and was signed by the Governor on June 3, 2021.

Senate Bill No. 56 introduced Educational Opportunity Funding, which will provide additional funding for schools to support English Learners (EL) and low-income students (LI). The bill was introduced as a result of a settlement agreement in RE Delaware Public Schools Litigation C.A. No. 2018-0029-VCL. The Department of Education (DOE) will be required to adopt regulations identifying the types of services and supports that may be funded with money from the Opportunity Fund. The bill requires the DOE to create accountability procedures and logistical supports, along with an expenditure plan template and plan development supports identifying evidence-based practices shown to improve performance outcomes for EL and LI students. Recipients of the funding will also be required to provide an annual report on the use of the funding received. Council supported the legislation and noted that it is a stride toward greater and more equitable funding for schools across the State but it is only the beginning, not the end, of progress needed to improve school funding in Delaware. The bill was signed by the Governor on June 30, 2021.

Highlights and Collaborations

The GACEC held its Annual Fall Retreat on October 10, 2020, virtually through Zoom as part of the Council's planning activities for the upcoming year. Retreat participants included Council members, as well as Mary Ann Mieczkowski from the Delaware Department of Education (DDOE), who presented on Early Childhood Inclusion, Parent Survey Results, Multi-Tiered System of Supports (MTSS) update, status of regulations and Target Setting for Indicators 5, 6, 7, 8, 15 and 16. There was also a District Personnel Report regarding the impact COVID-19 has had on education. The Council heard from Elyse Baerga, the Special Education Director of the Woodbridge School District, Erik Warner, 12th grade teacher from the Kent County Community School in the Capital School District and Lisa Lawson, Assistant Superintendent from the Brandywine School District.

GACEC's Collaborative Efforts with Other Organizations and Agencies to Promote Education and Awareness

- The GACEC **wrote more than 1800 letters** to the Governor, Legislators, the Department of Education and other agencies advocating on behalf of individuals with disabilities and their families.
- **LIFE Conference Design Team** - The annual LIFE Conference seeks to assure that persons with disabilities in Delaware have full access to supportive Legislation, Independence, Family support services and Education. Previous GACEC Executive Director Wendy Strauss, Current Director Pam Weir and Office Manager Kathie Cherry are members of the LIFE Conference Design Team. The team is also comprised of representatives from the Developmental Disabilities Council (DDC), State Council for Persons with Disabilities (SCPD), Delaware Health and Social Services (DHSS), Delaware Public

Health (DPH), Easter Seals, the Division of Medicaid, and Medicare Assistance (DMMA), DOE and the Delaware Coalition for the Americans with Disabilities Act (DCADA). The 2019 LIFE conference was attended by over **700** people. Due to the COVID-19 pandemic, the 2021 LIFE conference is being held virtually in September.

- GACEC Office Manager Kathie Cherry is a member of the **SCPD Policy and Law Committee**. This committee reviewed and/or provided commentary on **more than 130** proposed or final regulations, state legislations, Federal bills and many other policies which impact persons with disabilities.
- **SCPD Brain Injury Committee (BIC)** – New GACEC Executive Director Pam Weir took over membership for Wendy Strauss, and Administrative Coordinator Lacie Spence was a member of the SCPD Brain Injury Committee (BIC). The mission of the BIC is to improve the lives of Delawareans with brain injury by providing the following: 1) a forum for the sharing and analysis of information; 2) a network to identify and facilitate acquisition of enhanced resources; 3) a technical assistance provider to educate public and private policymakers; and 4) an advocacy agency to promote a consumer oriented, effective injury and prevention service delivery system.
- **DOE Special Education Leadership Work Group** - GACEC staff attend these statewide meetings to monitor what is happening with special education in Delaware, as well as to provide input.
- **Transition Conference** - GACEC staff routinely attend the Transition Conference held by DOE and the Division of Vocational Rehabilitation (DVR). Over 700 individuals attended the 17th annual event. Staff provided information on the GACEC and how Council seeks to provide advice and advocacy for persons with disabilities for their full lifespan in Delaware. The Conference was not held in 2020 due to the pandemic.
- **Interagency Coordinating Council (ICC)** - The ICC focuses on early childhood issues. This year Wendy Strauss, Pam Weir and other members of Council were members and attended meetings to provide information and keep up to date on new information regarding early childhood issues.
- **Access to General Education Curriculum (AGEC) Workgroup** - This group focuses on assessment and inclusion issues for students in special education. GACEC Office Manager Kathie Cherry attends these meetings to provide input from her perspective as a parent, as well as a representative of the Council.
- **Disability History and Awareness Month Activities** – 2021 marked the eleventh year for the GACEC's Disability History and Awareness Month efforts and activities. The GACEC distributed "All my Different Friends at School" books to 50 early childhood providers. Due to the pandemic, the Annual Poster Contest was cancelled for the year.
- **Center for Disabilities Studies (CDS) Community Advisory Council (CAC)** - The Center for Disabilities Studies is supported with its work through the contribution of their Community

Advisory Council (CAC). The CAC is composed of individuals with developmental and related disabilities; family members of individuals with developmental disabilities; representatives from disability-related training, service, and advocacy organizations; representatives from state agencies; and other disability advocates. Meetings of the CAC are held four times a year. Former GACEC Executive Director Wendy Strauss was a CAC member.

- **Special Education Strategic Planning Council (SESPAC)** – Retired GACEC Executive Director Wendy Strauss was a member of SESPAC. Current Executive Director Pam Weir and Administrative Coordinator Lacie Spence recently became members. Meetings are attended regularly to facilitate collaboration with this work group on issues relevant to students with disabilities. In addition, Council member Bill Doolittle is the current Co- chair of the SESPAC. Council member Tika Hartsock is also a member.
- **Every Student Succeeds Act (ESSA) Advisory Panel** –The panel meets quarterly to discuss implementation of ESSA in Delaware. The panel is hosted by the Delaware Department of Education (DOE) and is attended by district personnel, DOE staff as well as Representative Kim Williams.

Additionally, the following are some of the organizations and committees that GACEC members and staff are involved with on a recurrent basis. These groups assist the Council with interagency collaboration and coalition building.

- American Association of University Women
- American Counseling Association
- Art Therapy Express
- Autism Delaware
- Behavioral Health Collaborative
- Brain Injury Committee (BIC)
- Correctional Education Association
- CPAC- Child Protection Accountability Commission
- Delaware and National Council for Exceptional Children (CEC)
- Delaware State Teachers Association
- Delaware Association of School Administrators
- Delaware Counseling Association
- Delaware Early Childhood Council
- Delaware Families for Hands and Voices
- Delaware Family Support Coordinating Council
- Delaware Healthy Mothers & Infant Consortium (DHMIC)
- Delaware Parent Teacher Association (PTA)
- Delaware State Network of Educators
- Department of Education, Exceptional Resources Special Education Group
- Department of Education, Every Student Succeeds Act workgroup

- Department of Labor Vocational Rehabilitation Advisory Committee
- Developmental Disabilities Council (DDC)
- DOE Transition Council
- Dover Air Force Base Exceptional Families Resources Program
- Division of Service to Aging and Adults with Physical Disabilities (DSAAPD)
- DVRC For Visually Impaired Council
- DVRTF (Delaware Victims' Rights Taskforce) Disability Committee
- Employment First Initiative Oversight Commission
- Endless Possibilities in the Community (EPIC)
- Early Childhood Inclusion Committee (ECIC)
- Family SHADE
- Governor's Advisory Council for Aging and Disabled Persons (GACADP)
- State Health Operations Center Functional Information and Support Center (SHOCFISC)
- Delaware Access and Functional Needs (DE AFN)
- Governor's Commission on Building Access to Community-Based Services (GCBACS)
- Governor's Commission on Employment of People w/Disabilities
- Health Care Commission Disability Health Equity Sub Committee
- Hearing Loss Association of Delaware (HLADE)
- Interagency Coordinating Council (ICC) for Part C of IDEA
- LIFE Conference Design Team
- Mobility in Motion
- National and Delaware Chapter of Hands and Voices
- National Association for the Education of Young Children
- Parent Information Center of Delaware (PIC)
- Persons with Access, Functional and Medical Needs
- Protection & Advocacy of Individual Rights (PAIR)
- Respite Care Committee
- State Council for Persons with Disabilities (SCPD)
- SCPD Policy and Law Committee
- Special Education Strategic Planning Committee
- State Systemic Improvement Plan (SSIP)
- SSIP Early Childhood Part C Collaboration Implementation Team
- Sussex Early Childhood Council
- Sussex Inter-Agency Council
- Trauma Informed Care Interest Group
- University of Delaware Center for Disabilities Studies (CDS) Community Advisory Council (CAC)

Thank you to our 2020-2021 Presenters and Speakers

- **Mary Ann Mieczkowski** of the Delaware Department of Education (DOE); presentations on Target Setting for APR Indicators 5,6,8,15,16, Parent Engagement, Regulations Updates, Early Childhood Inclusion, COVID-19 Recovery Plan for Special Education Students, FFY2017 SPP/APR

Report, LEA Annual Determinations, and DOE long term priorities/goals for special education students and opportunities for progress.

- **Cindy Brown** of DOE, presentations on Target Setting for APR Indicators 5, 6, 8, 15, 16, Parent Engagement, Regulations Updates, Early Childhood Inclusion, Information/updates on Early Childhood Inclusion Specialists contracts and Progress on ASQs/Dev. Screenings.
- **Dale Matusevich** of DOE, presentation on Transition Activity Updates, Guardianship and Supported Decision Making
- **Michelle Jackson** of DOE, presentation on Alternate Assessment 1% Cap Plan and Alternate Assessment.
- **Pam Bauman** of DOE, presentation on FFY2017 SPP/APR Report and LEA Annual Determinations.
- **Annalisa Ekbladh** of Autism Delaware, presentation on 12-month educational programming.
- **Michael Wagner** of DOE, presentation on Accessible Parking Laws and Driver's Manuals.
- **Maria Locuniak** of DOE, presentation on Target Setting for APR Indicators 5,6,8,15,16, Parent Engagement, Regulations Updates and Early Childhood Inclusion.
- **Jalee Pernol** of DOE, presentation on Target Setting for APR Indicators 5,6,8,15,16, Parent Engagement, Regulations Updates, Early Childhood Inclusion, MTSS/Literacy initiative update.
- **Linda Smith** of DOE, presentation on MTSS, Delaware Positive Behavioral Supports (PBS) update, discipline, and school climate.
- **Maureen Whelan** of DOE, presentation on the Prison Education Program.
- **Sue Brewster** of the Department of Labor (DOL), presentation on Employment of Persons with Disabilities.
- **Susan Veenema** of DOE, presentation on Disproportionate Representation (Indicators 9 and 10) and Delay in Implementation of Disproportionality Measures.
- **Theresa Bennet** of DOE presentation on Alternate Assessment.
- **Kristina Horton** of DHSS-DPH Birth to Three Early Intervention Program presentations on new leadership at Birth to Three Early Intervention Programs; information/updates on Early Childhood Inclusion Specialists contracts and progress on ASQs/Dev. Screenings; responses to GACEC comments on DHSS Office of Special Education Program (OSEP) Corrective Action Plan (CAP) responses-and Part C updates.
- **Michelle Mathew** of DHSS, presentation on new leadership at Birth to Three Early Intervention Programs and Part C updates.
- **Robin Coventry** presentation on the Delaware Disability Hub (DeIDHub) transition website.
- **Kyle Hodges** of SCPD, presentation on the Employment First Commission.
- **Elyse Baerga** of the Woodbridge School District, presentation on how COVID-19 has impacted education and what the district is doing to address these challenges.
- **Erik Warner** of the Kent County Community School, presentation on how COVID-19 has impacted education and what the Capital School District is doing to address these challenges.

- **Lisa Lawson** of the Brandywine School District, presentation on the new Early Childhood Program, how COVID-19 has impacted education and what the district is doing to address these challenges.
- **Mark Campano** of the Christina School District, presentation on Low Incidence Program updates.
- **Dr. Kathleen Matt** of the University of Delaware College of Health Sciences, presentation on practicality of Speech Language Pathology (SLP) Program tuition reimbursement.
- **Aquiles Iglesias** of the University of Delaware Department of Communication Sciences & Disorders, presentation on practicality of Speech Language Pathology (SLP) Program tuition reimbursement.
- **Dawn Alexander** of the Colonial School District, presentation on legislation to move Part C services to DOE.
- **Laura Sturgeon** of the Delaware State Senate, presentation on legislation to move Part C services to DOE.
- **Deborah Gottschalk** of Legislative Hall, presentation on legislation to move Part C services to DOE.
- **Matt Denn** report on the Redding Consortium Budget Recommendations.



GACEC MEMBERSHIP LIST 2020-2021

Susan Campbell

Al Cavalier

Nancy Cordrey

Bill Doolittle

Matthew Denn

Karen Eller

Ann Fisher

Cory Gilden

Terri Hancharick

Tika Hartsock

Kristina Horton

Genesis Johnson

Thomas Keeton

Beth Mineo

Mary Ann Mieczkowski

Maria Olivere

Robert Overmiller

Trenee Parker

Erika Powell

Jennifer Pulcinella

Jill Scannell

Brenne' Shepperson

Laura Waterland, Esq.

Lindsay Williamson



Trenee Parker, Director of the Division of Family Services, welcomes attendees to the Annual Destined for Greatness Celebration, which celebrates the educational accomplishments of youth who are experiencing foster care. Trenee also serves on the Children and Youth Committee of the GACEC.



Jill Scannell, Director of Learning Support at Newark Charter School, serves on the Children and Youth Committee of the GACEC.

GACEC STAFF

Wendy Strauss

Former Executive Director

Pam Weir

Executive Director

Kathie Cherry

Office Manager

Lacie Spence

Administrative Coordinator



Press Release Announcing the Retirement of GACEC Executive Director, Wendy Strauss~

The Governor's Advisory Council for Exceptional Citizens (GACEC) would like to inform all stakeholders in the Delaware disability community of the retirement of Executive Director Wendy S. Strauss as of April 31, 2021.

Wendy's role as Executive Director started twenty-three years ago. Running a state agency is not always easy, but the GACEC has grown under her guidance and direction. Wendy worked on numerous pieces of legislation with the Council and other disability advocates that positively impacted the lives of individuals with disabilities. She was instrumental in working with key stakeholders to get the Speech-Language Program in Delaware. Wendy and the Council led the team on the Seclusion and Restraint guidelines for the Department of Education and facilities. Another of her life-changing works was establishing School Resource Officer legislation requiring guidelines and training for school resource officers working with students in special education.



Ann Fisher, the Chairperson of the GACEC Council, shared, "The GACEC wishes Wendy well on her retirement. We thank her for her many years of dedicated service and unwavering support for individuals with disabilities and their families. Her knowledge, experience, and guidance through the years have been invaluable. She will truly be missed."

Wendy worked on creating disability awareness at the public school level, in childcare and preschools by focusing on disability history and the disability rights movement. The initiative resulted in House Bill 123 proclaiming October as Disability History and Awareness Month in Delaware and HCR 33 to present Disability History and Awareness Month in childcare settings. The GACEC instituted a Disability History and Awareness Month Poster Contest. Students from across the state created works of art depicting specific topics people with disabilities face. The GACEC worked with many partners and schools across the state to have a book and coloring book developed and printed to share statewide. A curriculum was designed around the book and coloring book for preschool teachers and childcare providers to introduce friends with various abilities to their students as part of Disability History and Awareness Month.

Brian Hartman, a colleague for 33 years, said, "Wendy was an inspiring advocate for kids throughout her career. She earned respect for her diplomacy and "people" skills – she could professionally promote a cause without alienating others. I'll never forget the many days (and sometimes nights!) spent together in Legislative Hall advancing a myriad of bills and initiatives. When we faced roadblocks, she could always be relied upon to offer practical, level-headed advice on a path forward. Wendy

should take pride in her long tenure with the GACEC and her overall legacy as someone who improved the lives of countless Delawareans.”

A State Transition Task Force for Emerging Adults with Disabilities and Special Health Care needs was established by SCR 34 in 2012. The Task Force, Co-chaired by Teri Hancharick, then Council Chair and Wendy Strauss, addressed the need to review transition using a holistic approach. From the Task Force work and support from agency stakeholders, GACEC created the transition website Delaware Disability Hub (www.deldhub.com).

Terri Hancharick, past Chair said, “I met Wendy many years ago when I was invited to the GACEC retreat as a panelist to talk about how inclusion is not always the best practice. Boy, was I wrong! Wendy was one of the people who taught me about inclusion, the importance of friendships, and the importance of belonging to the community. Wendy has a very gentle way of getting her point across. She puts everyone ahead of herself. So, I hope she will use this time to selfishly do what she wants to do. After a lifetime of advocating for families and kids with disabilities and caring for her family members along the way, it’s time for Wendy. She always had time to take my phone calls, give advice and find resources for people that needed help.”



Wendy was instrumental in bringing together a team to create the Boundless theatrical production, which documented a march from Wilmington, DE to Washington D.C. of people with disabilities and supporters. The show was a massive success due to the professional talent working behind the scenes and people with disabilities who acted in the play.

An Oral Health Program called Brushing for Brighter Smiles, made possible by a grant from Public Health, was created under Strauss’s direction to teach children about oral hygiene. The interactive program was presented to hundreds of elementary students and preschool children ages three to five.

For a decade, the GACEC organized the Heart-2-Heart Hugs campaign, which provided warm winter clothes to Delaware’s homeless children. Donations of sleeping bags, coats, hats, gloves, blankets, socks, scarves, snow pants, afghans, buntings, hoodies, and mittens were distributed to schools and foster care programs.

A series of videos were also created with Strauss’s direction to help parents of children with disabilities, teachers, caseworkers, transition coordinators, and students.

Looking back, Mrs. Strauss reflects, “Knowing I and my dedicated staff made a difference in the lives of people with disabilities and their families have made my career so rewarding. Having met so many parents, advocates, and professionals that have taught me along the way was always a blessing that I am thankful for.”

Stepping into the GACEC Executive Director position is Pamela Weir. Pam has served in the Department of Health and Social Services/Division of Public Health as the Assistant Part C Coordinator for the Birth to Three Early Intervention Program for six years. In that position, she provided oversight and support for the Part C of IDEA Interagency Coordination Council and representation on statewide committees and councils to ensure program initiatives. She has ten years of program management and implementation and over eighteen years of human services experience. Pam has extensive experience aligning processes with federal and state regulations and monitoring the effectiveness of programs. She has worked with individuals with disabilities for over eighteen years.

The purpose of the GACEC is to serve as a review board for policies, procedures, practices, and advocacy related to the delivery of services to people with disabilities from birth to death. They act in an advisory capacity for the Department of Education and the Department of Corrections.

For additional information, call 302-739-4553 or visit the website www.gacec.delaware.gov.

We are so happy for Wendy and forever grateful for the impact she has made!



FY 2021 Legislative Activity

Bill Number	Summary and Council Action	Status
House Bill No. 55 Delaware Gun Shop Project	<p>Synopsis: The Gun Shop Project's primary purpose is to develop, create, and provide suicide prevention education materials and training, to be made available for dealers and consumers of licensed deadly weapons in Delaware. The Delaware Suicide Prevention Coalition will oversee the Gun Shop Project and include the Project's annual report in the Coalition's annual report. The Division of Substance Abuse and Mental Health, which staffs the Coalition, will staff the Gun Shop Project. This Act also makes technical corrections to conform existing law to the standards of the Delaware Legislative Drafting Manual.</p> <p>Council Action: Letter sent to the General Assembly supporting the legislation and offering observations.</p>	Signed by the Governor June 3, 2021
House Bill No. 62 Prescription Drug Pricing	<p>Synopsis: This bill is a comprehensive effort to control the prices of generic and off-patent drugs sold, dispensed, or delivered to any individual in Delaware and provides stiff penalties for violations.</p> <p>Council Action: Letter sent to the General Assembly endorsing the legislation.</p>	Introduced and Assigned to Economic Development/Banking/Insurance & Commerce Committee in House on January 27, 2021
House Bill No. 86 Expansion of K-3 Basic Special Education Funding	<p>Synopsis: This bill provides increased funding for kindergarten through third grade students identified as eligible for basic special education services</p> <p>Council Action: Letter sent to the General Assembly supporting the legislation.</p>	Signed by the Governor July 30, 2021
House Bill No. 100 Mental Health Units for Elementary Schools	<p>Synopsis: The bill proposes the establishment of a mental health services unit in every Delaware public elementary school (including charter schools)</p> <p>Council Action: Letter sent to the General Assembly supporting the legislation and sharing observations.</p>	Signed by the Governor August 19, 2021
Senate Bill No. 20 Delaware Equal Accommodations Law (DEAL)	<p>Synopsis: The bill seeks to expand upon and clarify some aspects of parking for persons with disabilities by amending the Delaware Equal Accommodations Law (DEAL) and the Motor Vehicle Code.</p> <p>Council Action: Letter sent to the General Assembly supporting the concept but requesting clarification on the goal of the legislation and the problem it seeks to eliminate.</p>	Passed on June 23, 2021 Ready for Governor Action

Bill Number	Summary and Council Action	Status
Senate Bill No. 56 Educational Opportunity Funding	<p>Synopsis: This bill introduces the Opportunity Fund, which will provide additional funding for schools to support English Learner (EL) and low-income (LI) students. This bill is introduced as a result of a settlement agreement in RE Delaware Public Schools Litigation C.A. No. 2018-0029-VCL.</p> <p>Council Action: Letter sent to the General Assembly supporting the legislation and offering suggestions.</p>	Signed by the Governor June 30, 2021
House Concurrent Resolution 3 Creation of Delaware Corrections Investigation Task Force	<p>Synopsis: This resolution seeks to create a task force to “investigate and make findings and recommendations regarding the treatment of inmates and quality of healthcare provided to inmates in this State’s correctional institutions.” According to the introductory text of the resolution, the task force is being formed in light of the COVID-19 pandemic and particular risks that the pandemic poses to incarcerated individuals, however the duties of the task force as described in the resolution are broader and do not specifically relate to COVID-19.</p> <p>Council Action: Letter sent to the General Assembly supporting the resolution and sharing observations.</p>	Introduced and Assigned to Administration Committee in House on January 26, 2021
Senate Bill No. 71 “Red Flag Indicator” Requirements for Schools	<p>Synopsis: This bill proposes to create requirements for school districts and charter schools regarding so-called “red flag indicators” of school violence. The bill would require schools to provide training to employees regarding red flag indicators and create an internal framework for reporting, tracking and referral of instances where red flag indicators are identified.</p> <p>Council Action: Letter written not endorsing the proposed legislation and sharing observations and concerns.</p>	Introduced and Assigned to Education Committee in Senate on February 26, 2021
Senate Bill No. 66 Waiver of License Fees for Individuals during Re-Entry	<p>Synopsis: The bill will exempt recently incarcerated individuals from paying revoked license or driving privileges reinstatement fees.</p> <p>Council Action: Letter written in support of the proposed legislation.</p>	Signed by the Governor April 19, 2021
House Bill No. 129 School-Based Health Centers	<p>Synopsis: The bill will expand the requirements for state funding of school-based health centers to include high needs elementary schools.</p> <p>Council Action: Letter written supporting the proposed legislation.</p>	Assigned to Appropriations Committee in House on April 22, 2021

Bill Number	Summary and Council Action	Status
House Bill No. 117 Delaware Autism Program	Synopsis: The bill would make changes being piloted in the Delaware Autism Program (DAP) under existing legislation permanent. Council Action: Letter written in support of the proposed legislation and offering observations.	Introduced and Assigned to Education Committee in House on March 16, 2021
Senate Bill No. 90 Source of Income Discrimination	Synopsis: The proposed bill will amend the state fair housing statute and the landlord tenant code to eliminate language that allows landlords to refuse to accept Section 8 vouchers. Currently both statutes state that landlords are “not required to participate in any government sponsored rental assistance program.” Council Action: Letter written strongly endorsing the proposed legislation.	Amendment SA 1 to SB 90 - Introduced and Placed with Bill on June 21, 2021
House Bill No. 145 Personal Income Tax Deductions for 529 College Savings and ABLE Savings Plans	Synopsis: The bill will create two new personal income tax deductions; one for the 529 College Savings Plan and one for the Achieving a Better Life Experience Act of 2014 (ABLE or 529A account) Program. Council Action: Letter written endorsing the proposed legislation as written.	Assigned to Finance Committee in Senate on June 29, 2021
House Bill No. 144 Prekindergarten Special Education Funding	Synopsis: The bill is intended to increase the funding for preschool students with disabilities who are not in Intensive or Complex special education units. Council Action: Letter written endorsing the increase in funding.	Assigned to Appropriations Committee in House on May 17, 2021

Bill Number	Summary and Council Action	Status
House Bill No. 128 Extension of Special Education Past Age 21	Synopsis: The bill will permit the extension of special education and related services to those students with a disability who turn 21 during the 2020-2021 school year. Council Action: Letter written supporting the proposed legislation.	Signed by the Governor June 3, 2021
House Bill No. 115 Prohibition on Juvenile Prosecution	Synopsis: The bill sets a minimum age at which a child may be prosecuted (except for the most extreme offenses) and bars the transfer of juvenile prosecution to the Superior Court unless the child is at least 16 years of age. Council Action: Letter written in support of the legislation and offering observations.	Passed on June 29, 2021 Ready for Governor Action
House Substitute No. 1 for House Bill No. 54 Mid-Year Unit Count	Synopsis: The bill introduces an optional mid-year unit count of the student populations in all school districts and charter schools. Council Action: Letter written in support of the proposed legislation.	Passed by House, in Senate Education Committee for consideration as of June 22, 2021
Senate Bill No. 109 Medicaid Reimbursement Rates for Home Health Care Services	Synopsis: The bill requires that home health-care services for Medicaid long-term care services and support providers be reimbursed by Medicaid-contracted organizations at a rate equal to or more than the rate set by the Division of Medicaid and Medical Assistance (DMMA) for equivalent services. Council Action: Letter written supporting the proposed legislation.	Passed on June 24, 2021 Ready for Governor Action
House Bill No. 166 Creation of the Elevate Delaware Program	Synopsis: This legislation will create the Elevate Delaware program. The program would provide tuition, up to \$10,000.00, for eligible individuals to obtain training and education in a field that does not require a college degree, such as HVAC (heating, ventilation, and air conditioning), plumbers, electricians and construction. Council Action: Letter written in support of the proposed legislation.	Passed on June 29, 2021 Ready for Governor Action
Senate Bill No. 118 Long-Term Care Facility Participation in the Delaware Health Information Network (DHIN)	Synopsis: This bill requires long-term care facilities to enroll and share data with DHIN. The DHIN is a statewide health information exchange first launched in 2007 and widely used by medical providers. Council Action: Letter written supporting the legislation	Introduced and Assigned to Legislative Oversight & Sunset Committee in Senate on April 27, 2021

Bill Number	Summary and Council Action	Status
Senate Bill No. 12 Expansion of the Student Excellence Equals Degree (SEED) Program	Synopsis: The bill will expand the SEED Act to allow the inclusion of adult Delaware residents who are not recent high school graduates. Council Action: Letter written supporting the proposed expansion.	Passed on June 22, 2021 Ready for Governor Action
House Bill No. 162 DSCYF Services for Youth	Synopsis: The legislation will create the Juvenile Re-Entry Services Fund. This fund will allow the Department of Service for Children, Youth and their Families (DSCYF) to award competitive grants for the targeted provision of services that have been proven effective in helping juveniles avoid contact with the criminal justice system. The legislation allocates \$500,000 for Fiscal Year (FY) 2022 to the fund for provision of cognitive behavioral therapy services and vocation training services. Council Action: Letter written supporting the proposed legislation and sharing recommendations and concerns.	Passed on June 22, 2021 Ready for Governor Action
Senate Bill No. 136 Transfer of Part C Services to DDOE	Synopsis: The bill transfers responsibility of early intervention services for children ages birth to three from the Department of Health and Social Services (DHSS) to the Delaware Department of Education (DDOE). Council Action: Letter sent supporting the proposed legislation and offering comments.	Passed on June 29, 2021 Ready for Governor Action



FY 2021 Regulatory Activity

Regulation	Summary and Council Action	Letter Sent	Response/Update
24 DE Reg. 11&13/14 DE Admin. Code 922 & 925 [DOE Proposed Children with Disabilities Subpart A, Purposes and Definitions and Children with Disabilities Subpart D, Evaluations, Eligibility Determination, Individualized Education Programs Regulation (July 1, 2020)]	<p>Synopsis: The largest proposed change is the removal of the definitions pertaining to each educational classification. DDOE explains that this change was made because “the classifications are more appropriately addressed through their eligibility criteria” found within 925.</p> <p>Council Action: Letter written overall supporting the proposed regulation and offering observations and suggestions.</p>	July 2020	No Formal Response Received
24 DE Reg. 258 DHSS/DPH Proposed Medical Marijuana Code Revisions Regulation (December 1, 2019)	<p>Synopsis: The proposed revisions include the establishment of a Cannabidiol-Rich (CBD-Rich) registry identification card, requirements for CBD-Rich medical marijuana profile concentrations, regulations for home delivery services, the addition of anxiety to the list of qualifying conditions (restricted to CBD-Rich cards), and technical changes.</p> <p>Council Action: Letter written sharing concerns.</p>	September 2020	No Formal Response Received
24 DE Reg. 220/14 DE Admin. Code 505 DOE Proposed High School Graduation Requirements and Diplomas Regulation (September 1, 2020)	<p>Synopsis: Amended to add the definition of Homeless Youth and to allow students that have experienced homelessness during any of their high school years to graduate based on the State’s requirements. Remove barriers that could arise if a student experiencing homelessness transfers between high schools that have additional requirements. This idea was included in the State’s ESSA Plan</p> <p>Council Action: Letter written in support of the proposed Regulation.</p>	September 2020	No Formal Response Received

Regulation	Summary and Council Action	Letter Sent	Response/Update
24 DE Reg. 251/14 DE Admin. Code 1594 DOE Proposed Special Education Director Regulation (September 1, 2020)	Synopsis: The proposed amendment will do the following: 1) add definitions to Section 2.0; 2) clarify the requirements for issuing a Director Certificate; 3) specify the education, knowledge, and skill requirements for obtaining a Director Certificate; 4) add reciprocity requirements; 5) specify the application requirements; and 6) add Sections 7.0-10.0, which concern the validity of a Director Certificate, disciplinary actions, requests for the Secretary of Education to review applications, and process for recognizing past certificates. Council Action: Letter written in support and offering suggestions.	September 2020	No Formal Response Received
24 DE Reg. 227/14 DE Admin. Code 1520 DOE Proposed Early Childhood Teacher Standard Certificate Regulation (September 1, 2020)	Synopsis: The proposed amendments include adding defined terms to Section 2.0; clarifying the requirements for issuing an Early Childhood Teacher Standard Certificate in Section 3.0; specifying the education, knowledge, and skill requirements for obtaining an Early Childhood Teacher Standard Certificate in Section 4.0; specifying the application requirements in Section 5.0; adding Section 6.0, which concerns the validity of an Early Childhood Teacher Standard Certificate; adding Section 7.0, which concerns disciplinary actions; adding Section 8.0, which concerns requests for the Secretary of Education to review standard certificate applications; and adding Section 9.0, which concerns recognizing past certificates that were issued by the Department Council Action: Letter written in support and offering suggestions.	September 2020	No Formal Response Received
24 DE Reg. 313/14 DE Admin. Code 1011 DOE Proposed Interscholastic Athletics during the COVID-19 Pandemic Regulation (October 1, 2020)	Synopsis: The proposed regulation includes pre-participation physical examination requirements, addresses when interscholastic athletic activities are suspended, provides four Return to Play Stages, specifies the dates for the fall, winter, and spring sport seasons during the 2020-2021 school year, and sets forth sport-specific requirements that are designed to protect the physical well-being of student athletes during the COVID-19 pandemic. Council Action: Letter written sharing observations and offering suggestions.	October 2020	No Formal Response Received

Regulation	Summary and Council Action	Letter Sent	Response/Update
24 DE Reg. 304 & 315 (3201 Nursing Homes and ICF/MRs; 306 & 317 (3225 Assisted Living Facilities and 308 & 320 (3230 Rest Residential Facilities DHSS/DHCQ Emergency and Proposed Regulations regarding COVID-19 Testing in Skilled & Immediate Care Nursing Facilities (October 1, 2020)	Synopsis: DHSS/DHCQ Emergency and Proposed regulations governing testing for COVID-19 in nursing homes, immediate care nursing facilities, assisted living facilities, and residential facilities. Council Action: Letter written sharing observations and offering suggestions.	October 2020	DHSS thanked the GACEC for our comments.
24 DE Reg. 458/14 DE Admin. Code 1581 DOE Proposed Reading Specialist Regulation (November 1, 2020)	Synopsis: The proposed amendments include adding defined terms to Section 2.0; clarifying the requirements for issuing a School Reading Specialist Standard Certificate in Section 3.0; specifying the education, knowledge, and skill requirements for obtaining a School Reading Specialist Standard Certificate in Section 4.0; adding reciprocity requirements in Section 5.0; specifying the application requirements in Section 6.0; adding Section 7.0, which concerns the validity of a School Reading Specialist Standard Certificate; adding Section 8.0, which concerns disciplinary actions; adding Section 9.0, which concerns requests for the Secretary of Education to review standard certificate applications; and adding Section 10.0, which concerns recognizing past certificates that were issued by the Department. Council Action: Letter written in support of the proposed amendment.	November 2020	No Formal Response Received

Regulation	Summary and Council Action	Letter Sent	Response/Update
24 DE Reg. 453/14 DE Admin. Code 934 DOE Family & Large Family Care Homes Regulation (November 1, 2020)	<p>Synopsis: Revises existing regulations pertaining to standards for the licensure and operations of family childcare homes and large family childcare homes. These regulations now fall under the jurisdiction of the DDOE due to the recent relocation of the Office of Child of Care Licensing (OCCL) from the Department of Services for Youth & Families (DSCYF) to the DDOE.</p> <p>Council Action: Letter written in support of the proposed changes and sharing observations.</p>	November 2020	No Formal Response Received
24 DE Reg. 642/14 DE Admin. Code 1510 DOE Proposed Issuance of Initial License Regulation (January 1, 2021)	<p>Synopsis: Amends 14 Del.C. §1510, which describes the requirements for issuing and retention of an Initial License Exam.</p> <p>Council Action: Letter written sharing comments and recommendations.</p>	January 2021	No Formal Response Received
24 DE Reg. 643/14 DE Admin. Code 1581 DOE Proposed School Reading Specialist Regulation (January 1, 2021)	<p>Synopsis: Amends 14 Del.C. §1581, which describes the requirements for obtaining the School Reading Specialist Standard Certificate. Adds definitions to Section 2.0, clarify the requirements for issuing a Certificate, specify application requirements and adds Sections 7.0-10.0, which concern the validity of the Certificate, discipline actions, requests for the Secretary of Education to review applications and recognizing past certifications, respectively.</p> <p>Council Action: Letter written in support of the proposed amendment.</p>	January 2021	No Formal Response Received
24 DE Reg. 637/14 DE Admin. Code 401 DOE Proposed Major Capital Improvement Programs Regulation (January 1, 2021)	<p>Synopsis: This amendment is needed to comply with a court order that directs the Department of Education to amend 14 DE Admin. Code 401 Major Capital Improvement Program to require school districts to provide an Equity Statement in connection with a request for Issuance of a Certificate of Necessity.</p> <p>Council Action: Letter written offering suggestions and observations.</p>	January 2021	No Formal Response Received

Regulation	Summary and Council Action	Letter Sent	Response/Update
24 DE Reg. 753/14 DE Admin. Code 1203 DOE Proposed Scholarship Incentive Program Regulation (February 1, 2021)	Synopsis: The proposed amendments include an updated definition of academic merit to align with federal standards for receiving financial aid at a college or university and an update to the application process to reflect a new online application. Council Action: Letter written in support of the proposed amendment and offering suggestions.	February 2021	No Formal Response Received
24 DE Reg. 758/14 DE Admin. Code 1583 DOE Proposed School Psychologist Regulation (February 1, 2021)	Synopsis: The proposed amendments include adding defined terms to Section 2.0; clarifying the requirements for issuing a School Psychologist Standard Certificate in Section 3.0; specifying the education, knowledge, and skill requirements for obtaining a School Psychologist Standard Certificate in Section 4.0; specifying the application requirements in Section 5.0; adding Section 6.0, which concerns the validity of a School Psychologist Standard Certificate; adding Section 7.0, which concerns disciplinary actions; adding Section 8.0, which concerns requests for the Secretary of Education to review standard certificate applications; and adding Section 9.0, which concerns recognizing past certificates that were issued by the Department. Council Action: Letter written offering suggestions	February 2021	No Formal Response Received
24 DE Reg. 835/14 DE Admin. Code 915 DOE Proposed James H. Groves High School Regulation (March 1, 2021)	Synopsis: The proposal amends the regulations relating to the operations of James H. Groves High School (Groves). Groves serves primarily as an adult education program, with campus locations throughout the state, however it also provides educational programming that is open to high school aged students. The proposed amendment would lower the minimum age for participation in the In School Credit (ISC) Program. Council Action: Letter written in support of the proposed amendment.	March 2021	No Formal Response Received
24 DE Reg. 833/14 DE Admin. Code 502 DOE Proposed Alignment of Local District Curricula to State Content Standards Regulation (March 1, 2021)	Synopsis: The purpose of the amendment would be to align with modifications in State Content Standards and Department of Education reporting expectations of school districts and charter schools, to clarify the title of the Education reporting expectations of school districts and charter schools and to clarify the title of the regulation. Council Action: Letter written endorsing the proposed amendment and offering observations.	March 2021	No Formal Response Received

Regulation	Summary and Council Action	Letter Sent	Response/Update
24 DE Reg. 831/14 DE Admin. Code 230 DOE Proposed Promotion Process Regulation (March 1, 2021)	Synopsis: The proposed amendment would change the requirements for students to be promoted from grade to grade in K-12 education. Council Action: Letter written sharing observations.	March 2021	No Formal Response Received
24 DE Reg. 828/14 DE Admin. Code 211 DOE Proposed Notice of Due Process Proceedings to School Boards Regulation (March 1, 2021)	Synopsis: The proposal amends section 211 in reference to Notice to School Boards of Due Process Proceedings. This regulation is being amended to specifically recognize vocational school and charter school board members to streamline language in accordance with the Delaware Administrative Code Style Manual. Council Action: Letter written in support of the proposed amendment.	March 2021	No Formal Response Received
24 DE Reg. 826/14 DE Admin. Code 210 DOE Proposed District School Board Member Special Education Due Process Hearing Training Regulation (March 1, 2021)	Synopsis: The proposed amendment will clarify Section 1.0, add definitions to Section 2.0, and specify training requirements in Sections 3.0 and 4.0. Council Action: Letter written endorsing the proposed amendment and sharing a recommendation.	March 2021	No Formal Response Received
24 DE Reg. 851 DHSS/DMMA Proposed Medication-Assisted Treatment (MAT) Regulation (March 1, 2021)	Synopsis: The proposal amends Title XIX of the Medicaid State Plan regarding Medication-Assisted Treatment (MAT). The changes would make coverage of the MAT benefit mandatory where previously it was covered under the optional services sections of the Medicaid State Plan. Council Action: Letter written endorsing the proposed amendment.	March 2021	DMMA appreciates the support of the GACEC.

Regulation	Summary and Council Action	Letter Sent	Response/Update
24 DE Reg. 848 DHSS/DMMA Proposed Streamlined Medicaid Application Regulation (March 1, 2021)	Synopsis: The proposal amends Title XIX Medicaid State Plan regarding the Streamlined Application. The changes pertain to including questions for the justice-involved population (incarcerated individuals) and retroactive eligibility. Council Action: Letter written endorsing the proposed changes and offering observations.	March 2021	No Formal Response Received
24 DE Reg. 841 DHSS/DHCC Proposed Market Stabilization Reinsurance Program Regulation (March 1, 2021)	Synopsis: The proposal revises the Delaware Health Insurance Individual Market Stabilization Reinsurance Program and Fund. These regulations were mandated by House Bill 193, which required the Delaware Health Care Commission to establish the Delaware Health Insurance Individual Market Stabilization Reinsurance Program and Fund. They further the purpose of the program, namely, to provide reinsurance to carriers that offer individual health plans by reimbursing eligible claims as defined in the regulations. Council Action: Letter written endorsing the proposed regulations.	March 2021	DHCC appreciates the GACEC reviewing the proposed regulations and the comment.
24 DE Reg. 931/14 DE Admin. Code 1574 DOE Proposed Teacher of Students Who Are Deaf or Hard of Hearing Requirements Regulation (April 1, 2021)	Synopsis: The proposed amendment will add definitions to Section 2.0, clarify the requirements for issuing a Certificate, specify application requirements, and add Sections 6.0-9.0 which concern the validity of the Certificate, disciplinary actions, requests for the Secretary of Education to review applications and, recognizing past certifications, respectively. Council Action: Letter written in support of the proposed regulation and sharing observations.	April 2021	No Formal Response Received

Regulation	Summary and Council Action	Letter Sent	Response/Update
24 DE Reg. 926/14 DE Admin. Code 1532 DOE Proposed Teacher of English Learners Regulation (April 2021)	Synopsis: The proposed amendments include adding defined terms to Section 2.0; clarifying the requirements for issuing a Teacher of English Learners Standard Certificate in Section 3.0; specifying the education, knowledge, and skill requirements for obtaining a Teacher of English Learners Standard Certificate in Section 4.0; specifying the application requirements in Section 5.0; adding Section 6.0, which concerns the validity of a Teacher of English Learners Standard Certificate; adding Section 7.0, which concerns disciplinary actions; adding Section 8.0, which concerns requests for the Secretary of Education to review standard certificate applications; and adding Section 9.0, which concerns recognizing past certificates that were issued by the Department. Council Action: Letter written in support of the proposed amendments.	April 2021	No Formal Response Received
24 DE Reg. 971/14 DE Admin. Code 1011 DOE Proposed Interscholastic Athletics during the COVID-19 Pandemic Regulation (May 1, 2021)	Synopsis: The proposed regulation adds new edits to regulations governing school interscholastic activities during the COVID-19 pandemic. Council Action: Letter written offering suggestions.	May 2021	No Formal Response Received

